

AMENDED IN ASSEMBLY MARCH 18, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1937

Introduced by Assembly Member Corbett

February 11, 2004

An act to add Section 290.9 to the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

AB 1937, as amended, Corbett. Sex offenders.

Existing law requires a person convicted of any of certain specified sexual offenses to register with local law enforcement for the rest of his or her life while residing, located, attending school, or working in California, as specified.

This bill would require any state or local governmental agency, upon request, to provide to the Department of Justice, a court, or any California law enforcement agency, the address of any person ~~who~~ *represented by* the department, the court, or the law enforcement agency ~~believes~~ to be *a person who is* in violation of his or her duty to register under these provisions.

Because this bill would require local agencies to perform new duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide

and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 290.9 is added to the Penal Code, to
2 read:

3 290.9. Notwithstanding any other provision of law, any state
4 or local governmental agency shall, upon request, provide to the
5 Department of Justice, a court, or any California law enforcement
6 agency, the address of any person—~~who~~ *represented by* the
7 department, the court, or the law enforcement agency—~~believes~~ to
8 be *a person who is* in violation of his or her duty to register under
9 Section 290.

10 SEC. 2. Notwithstanding Section 17610 of the Government
11 Code, if the Commission on State Mandates determines that this
12 act contains costs mandated by the state, reimbursement to local
13 agencies and school districts for those costs shall be made pursuant
14 to Part 7 (commencing with Section 17500) of Division 4 of Title
15 2 of the Government Code. If the statewide cost of the claim for
16 reimbursement does not exceed one million dollars (\$1,000,000),
17 reimbursement shall be made from the State Mandates Claims
18 Fund.

